



LAW OFFICE OF FREDERICK M. OBERLANDER, P.C.

FREDERICK M. OBERLANDER
ATTORNEY-AT-LAW

fred55@aol.com

28 SYCAMORE LANE (PO BOX 1870)
MONTAUK, NEW YORK 11954
TELEPHONE 212.826.03
FAX 212.202.7624

June 24, 2013

Hon. Lorna G. Schofield
U.S. District Judge, SDNY
New York, New York 10007

Kriss v. Bayrock, 10-cv-3959
Kriss v. Bayrock, 13-cv-3905

Dear Judge Schofield:

Re: Proposed Expedited Scheduling of Reply Papers

10-cv-3959 (“Kriss I”)

Pursuant to your honor’s order ECF 79 of June 16, 2014, last night, June 23, 2014, the Bayrock defendants served and filed, ECF 76, a response in opposition to our June 12, 2014 Rule 72 motion for emergency relief from non-dispositive magistrate’s order, ECF 73.

In keeping with the expedited nature of our request, yet recognizing the gravity of the issue of a magistrate’s claim of “inherent power” to grant a motion expressly seeking injunctive relief *qua* prior restraint, *a fortiori sin litem*, we will, unless the court objects, file a reply within 3 days, by June 27, 2014.

(In the event the court prohibits reply – though we respectfully submit reply is as of absolute right pursuant to Federal and Local rules – then pursuant to your Individual Rule III(B)(6) we now request expedited oral argument.)

13-cv-3905 (“Kriss II”)

By ECF 80, Defendant Sater responded in opposition as well (our motion for relief is cross-docketed here as ECF 77). We will include reply on June 27, 2014. For the record, and to avoid confusion and risk of inadvertent default, we presume Mr. Sater asks no relief other than by opposition to our request, clarifying that as he has *sub judice* a somewhat related request for procedural relief before Judge Maas relating to service we plan not to respond to that request, if at all extant, before your honor but will deal with it below with the magistrate pursuant to your reference of May 23, 2014, ECF 68.

/s/ Frederick M. Oberlander
Counsel for Plaintiffs

/s/ Richard E. Lerner
Co-counsel